

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA, :  
:  
Plaintiff, :  
:  
-and- : **ELEVENTH STATEMENT**  
:  
THE VULCAN SOCIETY, INC., for itself and on behalf of : **OF FEES & EXPENSES**  
:  
its members, and MARCUS HAYWOOD, CANDIDO : **07-cv-2067 (NGG)(RLM)**  
:  
NUÑEZ and ROGER GREGG, individually and on behalf :  
of a class of all others similarly situated, :  
:  
Plaintiffs-Intervenors, :  
:  
-against- :  
:  
THE CITY OF NEW YORK, :  
:  
Defendant. :  
:  
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MARY JO WHITE, Special Master.

The Special Master submits this Eleventh Statement of Fees and Expenses pursuant to the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order") (Dkt. No. 448, ¶ 14). The Appointment Order requires that:

Every 60 days, the Special Master shall submit to the court an itemized statement of fees and expenses, which the court will inspect for regularity and reasonableness. If the court determines the itemized statement is regular and reasonable, the court will sign it and transmit it to the parties. The City shall then remit to the Special Master any court-approved amount, within 20 calendar days of court approval.

(*Id.*)

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. For the period of January 1, 2012 through March 29, 2012, the Special Master has incurred expenses totaling \$1,735.51.<sup>1</sup> An itemized list of the expenses is attached as Exhibit 1.

This statement also includes Dr. Shane Pittman's fees and expenses for the months of February and March. For the month of February, her fees were \$8,750.00 and her expenses were \$1,375.46, for a total of \$10,125.46. For the month of March, Dr. Pittman's fees were \$4,812.50 and her expenses were \$911.17, for a total of \$5,723.67. Invoices for Dr. Pittman's fees and expenses are attached hereto as Exhibits 2 and 3. The fees incurred for the months of February and March are within or less than the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519).

Accordingly, the total expenses for the Special Master's work for this period were \$17,584.64, \$1,735.51 of which is due to the Special Master's firm and \$15,849.13 of which is due to Dr. Pittman. We respectfully request that the Court approve all of these expenses.

/s/ Mary Jo White

Mary Jo White

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<sup>1</sup> This statement also includes some expenses for January. Those expenses were not included in the prior statement of expenses because the relevant invoices were not received in advance of submitting that statement.

Dated: April 2, 2012

# EXHIBIT 1

DEBEVOISE & PLIMPTON LLP

919 Third Avenue  
New York, NY 10022  
Tel 212 909 6000  
Fax 212 909 6836  
www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master  
Appointment***

03/29/2012

Invoice Number 1254712

*Disbursements and Charges itemized for the period Jan 1, 2012 to Mar 29, 2012.*

***Detailed Breakdown of Charges and Disbursements***

<u>Description</u>	<u>Amount</u>
Duplicating, Binding & Word Processing	<b>\$1,095.56</b>
Telephone Toll Calls, Conferencing & Outside Vendors	<b>\$319.04</b>
Research Services	<b>\$277.67</b>
Lawyer Late Night Transportation	<b>\$43.24</b>
<b>Total:</b>	<b>\$1,735.51</b>

# EXHIBIT 2

Invoice for Services from:

**The Pittman McLenagan Group, L.C.**

**6626-A Wilson Lane**

**Bethesda, MD 20817**

**301.320.9500**

**Tax Identification #: 52-1924078**

**PMG Contact:**

Shane Pittman, Ph.D.

301-320-9500

Invoice to:

Philip A. Fortino

Debevoise & Plimpton LLP

919 Third Avenue

New York, New York 10022

**Billing Hours for Client: NYC v US**

Feb-12

<b>Project:</b>	FDNY Entry Level Testing	
<b>Invoice #:</b>		NYCvUS Feb-12
<b>Terms:</b>	Net 15	
<b>Inv. Date:</b>	3/23/2012	
<b>Please Remit this Amount: \$10,125.46</b>		
<b>Remit to:</b>	<u><b>The Pittman McLenagan Group, L.C.</b></u>	
	6626-A Wilson Lane	
	Bethesda, MD 20817	

Date	Project Description	Hours	Cost
2/2/2012	Reviewed materials	0.75	\$187.50
2/2/2012	Call with experts	1.50	\$375.00
2/2/2012	Follow-up relating to call with experts	0.25	\$62.50
2/7/2012	Reviewed/responded to correspondence	0.50	\$125.00
2/6/2012	Reviewed materials; reviewed/responded to correspondence	0.75	\$187.50
2/6/2012	Virtual meeting with experts	1.50	\$375.00
2/6/2012	Reviewed materials	1.00	\$250.00
2/8/2012	Reviewed/responded to correspondence	0.25	\$62.50
2/9/2012	Reviewed/responded to correspondence	0.50	\$125.00
2/10/2012	Reviewed materials	0.75	\$187.50
2/10/2012	Virtual meeting with experts	0.75	\$187.50
2/12/2012	Reviewed/responded to correspondence	0.50	\$125.00
2/13/2012	Virtual meeting with experts	1.00	\$250.00
2/13/2012	Responded to correspondence	0.75	\$187.50
2/14/2012	Reviewed/responded to correspondence	0.50	\$125.00
2/15/2012	Reviewed materials	1.00	\$250.00
2/15/2012	Reviewed/responded to correspondence	0.50	\$125.00
2/15/2012	Reviewed materials	0.50	\$125.00
2/16/2012	Reviewed materials	1.50	\$375.00
2/21/2012	Reviewed materials	0.75	\$187.50
2/22/2012	Reviewed materials	0.50	\$125.00
2/23/2012	In-person meeting with experts	11.50	\$2,875.00
2/24/2012	Meeting with Special Master, parties, and experts	5.50	\$1,375.00
2/25/2012	Reviewed materials	1.25	\$312.50
2/17/2012	Reviewed materials	0.75	\$187.50
			\$0.00
			\$0.00
	Expenses		\$1,375.46
		34.00	\$8,750.00
	Total Hours + Expenses		\$10,125.46

# EXHIBIT 3



Invoice for Services from:

**The Pittman McLenagan Group, L.C.**  
**6626-A Wilson Lane**  
**Bethesda, MD 20817**  
**301.320.9500**  
**Tax Identification #: 52-1924078**  
**PMG Contact:**  
 Shane Pittman, Ph.D.  
 301-320-9500

Invoice to:  
 Philip A. Fortino  
 Debevoise & Plimpton LLP  
 919 Third Avenue  
 New York, New York 10022

**Billing Hours for Client: NYC v US**  
 Mar-12

<b>Project:</b>	FDNY Entry Level Testing	
<b>Invoice #:</b>		NYCvUS Mar-12
<b>Terms:</b>	Net 15	
<b>Inv. Date:</b>	3/30/2012	
<b>Please Remit this Amount: \$5,723.67</b>		
<b>Remit to:</b>	<u><b>The Pittman McLenagan Group, L.C.</b></u> 6626-A Wilson Lane Bethesda, MD 20817	

<b>Date</b>	<b>Project Description</b>	<b>Hours</b>	<b>Cost</b>
3/1/2012	Meeting with Special Master, parties, and unions	1.50	\$375.00
3/1/2012	Virtual meeting with experts	1.50	\$375.00
3/6/2012	Reviewed materials	0.50	\$125.00
3/7/2012	Reviewed materials	1.00	\$250.00
3/7/2012	Virtual meeting with experts	1.00	\$250.00
3/9/2012	Virtual meeting with experts	1.00	\$250.00
3/9/2012	Call with C. Dike-Minor	0.75	\$187.50
3/10/2012	Reviewed materials	1.00	\$250.00
3/10/2012	Call with M. Hogan, P. Fortino, C. Dike-Minor, and R. Feldman	0.75	\$187.50
3/11/2012	Reviewed correspondence	0.50	\$125.00
3/12/2012	Reviewed materials	0.75	\$187.50
3/13/2012	Call with Special Master, parties, and experts	1.00	\$250.00
3/13/2012	Call with experts	0.75	\$187.50
3/14/2012	Reviewed materials	1.00	\$250.00
3/14/2012	Call with experts	1.00	\$250.00
3/14/2012	Call with Special Master, parties, and experts	1.00	\$250.00
3/15/2012	Reviewed materials	0.50	\$125.00
3/20/2012	Reviewed materials	0.75	\$187.50
3/19/2012	Reviewed materials	0.25	\$62.50
3/22/2012	Reviewed materials	0.50	\$125.00
3/23/2012	Call with experts	0.75	\$187.50
3/30/2012	Reviewed materials	0.50	\$125.00
3/30/2012	Call with experts	1.00	\$250.00
		Expenses	\$911.17
		18.75	\$4,812.50
		Total Hours +	\$5,723.67
		Expenses	